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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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OF COUNSEL

August 1, 2002

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

ORIGINAL

Re: *Progeny LMS, LLC Petition for Rulemaking to Amend Part 90 of the Commission's Rules Governing Location and Monitoring Service To Provide Greater Flexibility, RM-10403.*

Oral *ExParte* Presentation

Dear Ms. Dortch:

On Thursday, July 31, 2002, Janice Obuchowski, President of Freedom Technologies, Inc., Albert Halprin, partner of the law firm Halprin Temple, and independent engineer Barclay Jones met with Wireless Telecommunications Bureau (WTB) Chief Thomas J. Sugrue. The meeting also was attended by WTB Deputy Chief James D. Schlichting, Deputy Chief Kathleen Ham, Senior Legal Advisor David Furth, Commercial Wireless Division Chief William W. Kunze and staff member Richard Arseneault. The meeting was held to discuss several issues related to the above-captioned rulemaking petition, in which Progeny has sought changes in the rules governing Location and Monitoring Service (LMS) licensees in the 902-928 MHz band. Progeny has sought the elimination or modification of rules that:

- (1) Prevent the aggregation of existing multilateration LMS sub-bands;
- (2) Restrict real-time interconnection with the public switched telephone network (PSTN);
- (3) Restrict the types of communications or services that LMS operators may provide; and
- (4) Require field-testing of LMS devices and establish a "safe-harbor" presumption of noninterference to LMS operations by unlicensed wireless devices.

The meeting included a discussion of potential technical approaches to prevent undue interference between licensees and unlicensed operators in the 902-928 MHz band.

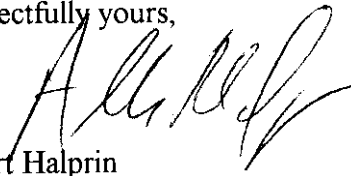
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Marlene H. Dortch, Secretary  
July 1, 2002  
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In accordance with Section 1.1206(b) of the Commission's Rules, please accept this original and one copy for submission. Should you have any questions or concerns in connection with this submission, please contact me at (202) 371-9100.

Respectfully yours,



Albert Halprin  
Counsel

cc: Thomas Sugrue, WTB  
James Schlichting  
Kathleen Ham  
David Furth  
William Kunze  
Richard Arsenault